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QUID NOVI

Journal des étudiant-e-s
en droit de l'université McGill

McGill Law's
Weekly Student Newspaper

Volume 34, n°1
18 septembre 2012 | September 18th 2012



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en droit de l'université McGill*
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Volume 34, n°1
18 septembre 2012 | September 18th 2012

QUID NOVI

3661 Peel Street
Montréal, Québec H2A 1X1

<http://quid.mcgill.ca/>

EDITORS IN CHIEF

Amanda Petrakis
Hélia Taheri
Thomas Gagnon-van Leeuwen

ASSOCIATE REVIEWERS

TBC

LAYOUT EDITORS

TBC

STAFF WRITERS

TBC

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WANT TO TALK? TU VEUX T'EXPRIMER?

Envoyez vos commentaires ou articles avant
jeudi 17h à l'adresse : quid.law@mcgill.ca

Toute contribution doit indiquer le nom de
l'auteur, son année d'étude ainsi qu'un titre
pour l'article. L'article ne sera publiée qu'à la
discrétion du comité de rédaction, qui

basera sa décision sur la politique de
rédaction.

Contributions should preferably be submitted as
a .doc attachment (and not, for instance, a
".docx").

*Co-Editor in Chief*AMANDA
PETRAKIS

GRATITUDE

I bring to you a motivational piece with a bit of a bite to it. I will speak of being thankful for those things we all take for granted. But I should not project my own ingrate attitude on the rest of you so easily: some of you don't assume that the good in your lives is a given, and that is what brings you closer to happiness.

And what is happiness, you might ask. Is it the sum of sporadic moments filled with laughter? The light at the end of a tenebrous tunnel? A general, cushy feeling? Is it a constant sense of well-being at all, or a fleeting instant in an ocean of self-pity?

My sense is that any one of these options is true for a person at some point in their lives. People - and here I go making generalizations again - tend to choose definitions for abstract concepts, like happiness, according to what best justifies their choices which aren't always the result of naked will. I often fall prey to this game of alternating between definitions.

Sometimes exterior factors, such as social pressure, worm their way into our brains, singing their mantra, and eventually push us toward certain decisions. When we bow to such factors, we tell ourselves, "I chose the path toward happiness." Happiness = destination.

When we feel rebellious, hedonistic and impulsive, we may be more prone to saying, "I chose the little things that make me happy here and now." Happiness = the path itself.

Everyone has goals and makes sacrifices accordingly at some point in their lives. And everyone would rather go with the flow at other times. Unfortunately, some-

times you actually need to pick between a happy ending and a happy course even though you'd rather have both.

Making up your mind is simple. Really. If you've chosen the happy ending, here is what you should be asking yourself: do I really want to get there?

A) If you hear yourself say "yes!" then go for it!

B) If you have any qualms, then I suggest you ask yourself what are your reasons for choosing that "happy ending". Rather, are you running from anything? Fear at the prospect of not succeeding is normal, and you should face that fear. However, if fear of something else is the driving force behind your chosen "ending", you may be heading toward disappointment...

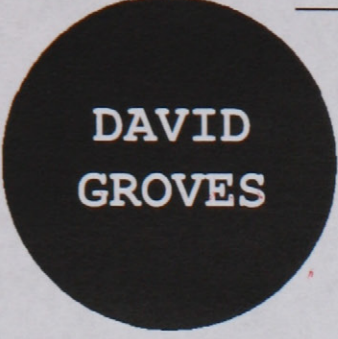
If you've chosen the course and have qualms with not pursuing a goal, then the question about "fear" applies as well.

Simply put, the selection process boils down to one's resistance to fear. Fear is a powerful motivator, for better or for worse.

What will you do? Face your fears or run from them?

If you're feeling unhappy, just look around you. Look at where you are. Look at who is there with you. Look at what you have. You have the choice and the means to go through with it. Be grateful for that. Be happy because you can.

That's my piece on gratitude.



DAVID
GROVES

WELCOME BACK!

(Please Fill Out and Return to Me)

Oh my gosh, hey!

(Hug, attempt at doing European cheek-kiss thing)

It's been too long. How are you? You look *[please circle one: tanned, rested, great]*! The summer really treated you well!

(Pause while we try to figure out who should speak first)

So how was it? Did you finally get a chance to *[circle one: skydive, go to Peru, sleep for a week]* like you kept saying you would once exams were finished? Oh, okay, yeah, I guess we were all talking nonsense back then. I remember that, all through April, you kept *[insert bizarre, stress-induced behaviour here: _____]* until Lamed actually sent out a faculty-wide e-mail out about it. Yikes!

(Awkward pause; I should not have brought that up. You look *[circle one: embarrassed, chagrined, or, preferably, unfazed]*)

Uhhhh.... Anyway, what did you get up to?

[Insert summer employment, classes, or opportunity here: _____]

Holy cow! That's *[circle one: impressive, perfect for you, really interesting]*! I'll bet you *[circle one: learned a lot, had quite the adventure, made some serious money]*. Any crazy stories?

[For my reference, please attach one (1) crazy story, of no more than 200 words in length, to read along with this form. Preference will be given to stories that feature a) nudity b) "hijinks" or c) police involvement]

Hahahaha! That's hilarious! Classic *[insert your name here _____]*.

You ready for another year? Yeah, me neither. I keep having this recurring nightmare where I wake up in bed next to a person-size Civil Code, and it gets mad at me for snoring and hogging all the covers. What classes you taking?

[For my reference, please attach class schedule]

Oh man! You're in *[please insert your least-desired class here: _____]* with *[please insert professor of aforementioned class here: _____]*? Brutal. I hear *[circle one: he, she]* is *[circle one: cruel, boring, a vampire living off the life-force of his/her students]*. But at least you got into *[please insert your most-desired class here: _____]*, right? I would've been in there with you if I hadn't been thirty seconds late logging in to Minerva that morning. Nicely done, McGill!

(Laughter, shared grumbling about the horrors of class selection)

Listen, I gotta go. Late for class! Thanks for catching up, though – it's going to be great to see you around the faculty all year! Remember that time after coffeehouse when we *[please insert short-hand reference to some unreasonably long and hazy Thursday evening we spent together here: _____]*. Oh man... talk about a barn-burner, am I right? We really *[please insert sub-par law pun, ie. "extended the tort of negligence"; "violated the principles of fundamental justice", here: _____]* that night! Haha! I'll never forget it *[provided you fill this out and return it to me]*.



COMITÉ DU NON

POURQUOI VOTER NON AUX MODIFICATIONS CONSTITUTIONNELLES SUGGÉRÉES PAR LE LSA

First of all, we would like to mention that the No committee is not against all changes to the LSA Constitution. As many have noted, and as seen last year, our Constitution is unclear on certain issues. There is room for clarification. There is also a need for a discussion among ourselves, the student body and our representatives.

Les modifications telles que proposées ne sont pas de simples formalités. Elles sont susceptibles d'avoir un grand impact sur la participation étudiante dans les décisions de l'association des étudiant-e-s en droit. Elles proposent des changements importants à la répartition des pouvoirs entre les différents organes décisionnels. Nous croyons qu'il faut encourager la discussion sur cette question. D'ailleurs, la présentation des questions dans le Welcome Back Newsletter était biaisée. Dans la section « Effects », seulement des points positifs sont mentionnés.

À notre avis, cette discussion doit se faire au travers de l'Assemblée générale annuelle (AGA) et non par des questions référendaires imposées au corps étudiant. L'AGA est LE moyen unique pour que tous et toutes puissions discuter, débattre, exposer nos points de vues et entendre les préoccupations et intérêts de la population étudiante de notre Faculté. Nous avons vu son pouvoir l'année dernière lorsque plus de 100 étudiant-e-s se sont présenté-e-s afin de poser des questions sur le budget et prendre position sur des problématiques qui nous touchent tous et toutes comme étudiant-e-s, étudiant-e-s en droit et citoyen-ne-s.

Prenons l'exemple de la question de la hausse des frais de scolarité. L'externe du LSA avait organisé une session d'informa-

tion (« Town Hall »). Ce Town Hall a été annoncé à l'avance et plusieurs étudiant-e-s ont pu exprimer leur opinion sur la question. Une motion regroupant l'ensemble de la discussion a été rédigée et présentée en Assemblée générale la semaine suivante. Une discussion s'en est suivie. Des modifications aussi. Chaque intervention a été entendue (malgré une période de temps restreinte) et la motion modifiée a été votée. Ensemble, nous avons tous et toutes pris part à ce qu'on appelle une démocratie étudiante saine et stimulante.

Toujours dans le cas de la hausse des frais de scolarité, au semestre d'hiver, certain-e-s étudiant-e-s ont voulu soutenir les milliers d'étudiant-e-s en grève par une levée de cours symbolique. Nous avons discuté et débattu dans un Town Hall. Nous avons tenu un référendum (avec 10% des signatures). Il n'y a pas eu de levée de cours symbolique le 22 mars dernier, mais nous avons eu la chance de prendre part à un débat nécessaire et important dans une université québécoise. En demandant 25% des signatures (Question 4), c'est près de 180 étudiant-e-s dont il faudra demander la signature pour tenir un référendum. C'est beaucoup. Cela vient directement toucher la participation étudiante.

L'assemblée générale doit être souveraine afin de bien représenter les intérêts et idées des étudiant-e-s. Cette idée n'est pas nouvelle et est présente dans la majorité des établissements scolaires post-secondaires du Québec.

We know that in Quebec, student associations must be incorporated under the Companies Act to gain accreditation and receive university-collected student fees.

But many accredited student associations in Quebec have the general assembly as their highest governing body (Question 1). We believe for instance that the budget needs final approval from the AGA (Question 3).

C'est facile de se comparer à ce qui se passe à McGill ou Concordia. C'est aussi facile d'aller voir ce qui se passe à l'Université Laval ou à l'Université du Québec à Montréal. Il y a l'exécutif, élu, qui « exécute » (bien souvent, merveilleusement bien) ce que l'assemblée a choisi et décidé.

We believe that our student democracy shouldn't be centralized within the hands of a few people. Even if we know them very well. Even if we know that they are working very hard for us, for this Faculty, for our interests. But they don't know everything. They might not share similar concerns as other groups. They might take decisions that we don't agree on. The same is true for clubs (Question 5). Creating two new positions on the LSA Council will surely create new voices but will still not ensure that a broad range of concerns from different groups and people are heard like at the AGA.

The only way to have a balanced view of what is going on in the Faculty and among the student body is the AGA. This is why we should discuss constitutional changes at the next AGA. Or at a special AGA if necessary. Even holding a Town Hall on the matter would help make more legitimate constitutional changes.

Ainsi, nous vous encourageons fortement à voter non lors du prochain référendum !



REFERENDUM QUESTIONS

WHY YOU SHOULD VOTE YES

Suite à l'introduction d'un projet commun par lequel tous pourront profiter de leur passage à la Faculté pour faire bénéficier la communauté, l'exécutif de l'AED propose d'apporter quelques changements ayant trait à la gouvernance étudiante. Ces changements ont pour but de rendre votre AED plus représentative, responsable, démocratique ainsi que d'aligner la constitution de l'AED avec les lois corporatives du Québec.

Question 1: Codifying the Judicial Board Decision in Re AGM Motions

Proposed change: Clarifying a General Assembly cannot bind the LSA Council or Executive to a policy.

Why we've proposed it: The LSA Constitution was silent on this issue, and last year a General Assembly attended by slightly more than 10% of students resolved to reverse a policy adopted by the LSA Council, which is elected by all students. Council consists of the Executive, the Class Presidents, the Student Members-at-Large of Faculty Council, and the Law Senator. The Judicial Board ruled that a General Assembly could not bind Council in Re AGM Motions (January 2012), except where specifically provided.

Effects: Council's policy-making importance will be increased, while the General Assemblies will become more consultative bodies. Representative democracy in the LSA will be increased.

Question 2: Adhérence aux lois des corporations

Changement proposé: Le comité exécutif de l'AED pourra écarter les décisions du

conseil judiciaire avec une majorité de 4/5.

Pourquoi l'avons-nous proposé?: L'AED est une corporation et la Régie des entreprises requiert que le conseil d'administration (le comité exécutif de l'AED) aie le pouvoir décisionnel final, et que ses décisions ne puissent être écartées que par un vote unanime des actionnaires (les actionnaires de l'AED sont tous les étudiants de la Faculté).

Effets: La constitution de l'AED sera en harmonie avec la Régie des entreprises, qui gouverne les corporations comme l'AED. L'exécutif élu, et non le conseil judiciaire nommé, aura le pouvoir décisionnel ultime sur les politiques adoptées.

Question 3: Council Oversight of the LSA Budget

Proposed change: Before the LSA budget is presented to the members at the General Assembly, LSA Council must debate and approve it.

Why we've proposed it: Council is the LSA's primary deliberative body, but currently cannot hold the Executive accountable on budgetary matters.

Effects: The budget will be subject to greater oversight, deliberation, and transparency.

Question 4: Augmenter l'importance des référendums

Changement proposé: À l'exception des périodes de vote en automne et au printemps, un référendum pourra être initié par soit : (1) une résolution au conseil de l'AED, ou (2) la collecte des signatures de 25% des élèves de la Faculté. Un référen-

dum pendant les périodes de vote peut être initié par soit : (1) une résolution au conseil de l'AED ou, (2) la collecte des signatures de 10% des élèves de la Faculté.

Pourquoi l'avons-nous proposé?: La tenue de référendums à l'extérieur des périodes de vote requièrent un degré de travail important de la part des personnes impliquées dans le processus d'organisation du vote, ainsi qu'un important coût financier. Plusieurs autres facultés de droit et d'autres facultés à McGill possèdent des politiques similaires qui permettent de limiter les questions référendaires pour lesquelles le corps étudiant possède un intérêt marqué.

Effets : Il sera un peu plus difficile d'initier un référendum à l'extérieur des périodes de vote, mais il sera tout de même possible de tenir un référendum pour les enjeux qui suscitent un intérêt particulièrement marqué auprès du corps étudiant.

Question 5: Clubs Members on Council

Proposed change: Two Clubs Members will be added to Council. These members will be club executives, and will be elected by all the clubs.

Why we've proposed it: Clubs are the main way law students can express their passions, and can use their law degrees to help our communities. Council is the LSA's primary deliberative body, so clubs' interests should be represented on Council, especially if Council has budgetary oversight.

Effects: Council will become more representative, and clubs' interests will play a larger role in LSA policy.

MCGILL LAW'S CLUB DE BOTANIQUE

Affairés à l'étude du grand arbre constitutionnel canadien, les étudiants de la Faculté de droit de l'Université McGill oublient trop souvent les plaisirs simples de la vie. Le Club de Botanique vise à faire fleurir la vie festive estudiantine en regroupant des épicuriens de divers horizons. C'est en cultivant les jardins de notre faculté que tous sont invités à s'évader du coquillage qui nous cloître au haut de la colline mcgilloise. Prenant exemple sur un de nos alumni, Wilfrid Laurier, nous nous intéresserons autant à la

croissance politique de notre monde qu'aux romances que nous apportent les aléas de la vie. The Botanical Club of the Faculty of Law welcomes anyone who shares the joy of gardening. Help us grow the young shoots of student life in law school. We need new recruits to brainstorm with us. Please contact Nicolas Benoît-Guay (nicolas.benoit-guay@mail.mcgill.ca) if you are interested in helping us.

Great mentors require great students.

Our highly regarded and growing Intellectual Property Department assists companies in virtually every business sector in the acquisition, commercial exploitation and protection of IP.

We are known by clients for our "excellent character and cohesion" with "the strength and the team to deliver results" (*Chambers Global 2011, and MIP 2011*).

We are praised by our opponents as "serious litigators," who are "winning cases" (*MIP 2011*).

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We welcome applications from students with science or engineering undergraduate and graduate backgrounds, who want to specialize in intellectual property litigation. A summer with Osler in Ottawa gives you the opportunity to receive invaluable mentoring and guidance from lawyers who are acknowledged leaders in their fields, and who share a passion for intellectual property law.

Please apply by Friday, October 12, 2012

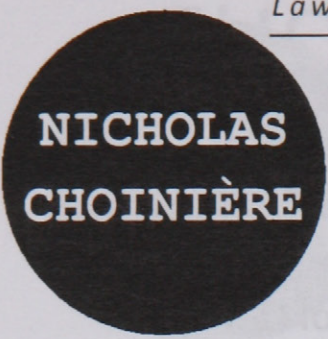
Contact Information

Lisa Nicastro
Student Programs Coordinator
Osler, Hoskin & Harcourt LLP
Tel: 613.787.1040
Email: lnicastro@osler.com

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OSLER



NICHOLAS
CHOINIÈRE

GETTING INVOLVED AT NCDH

Whether you're starting your first year of Law School, finishing your degree, or visiting McGill for the term, the beginning of September is when you should think about getting involved in the life of our school. Beyond going to Coffeehouse on Thursdays and voting in the upcoming faculty elections, there are many ways to keep busy around New Chancellor Day Hall.

Si vous êtes comme moi, vous vous êtes sûrement inscrits à une dizaine de groupes étudiants lors de la Clubs' Day de la semaine dernière. Il est certain que vous n'aurez pas le temps de tout faire ce que vous voudriez faire, mais je vous assure que vous aurez assez de temps pour faire une ou deux ou trois activités qui vous tiennent à cœur (petite note à ceux qui sont trop occupés par leurs vies en dehors de la faculté, notamment à ceux qui ont de jeunes enfants : vous êtes une source d'inspiration pour tous les autres d'entre nous qui n'ont pas de telles responsabilités et ce n'est certainement pas à moi de vous donner un cours sur la gestion de votre temps!). Où donc devriez-vous donner de votre temps? La beauté de cette faculté, c'est qu'il y a beaucoup de groupes étudiants. De MBLA à MIFA, d'APLAM à ALSA, il y en a pour tous les goûts (félicitations aux 1Ls qui connaissent ce que signifient tous ces acronymes!).

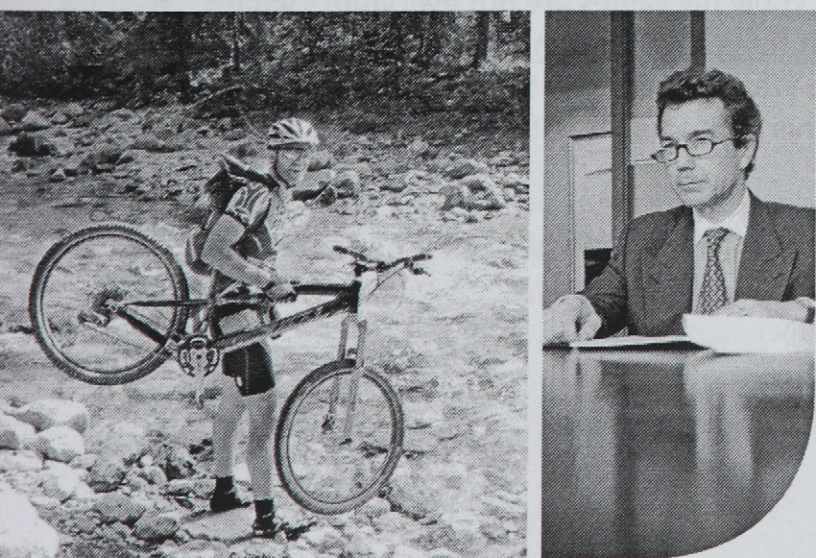
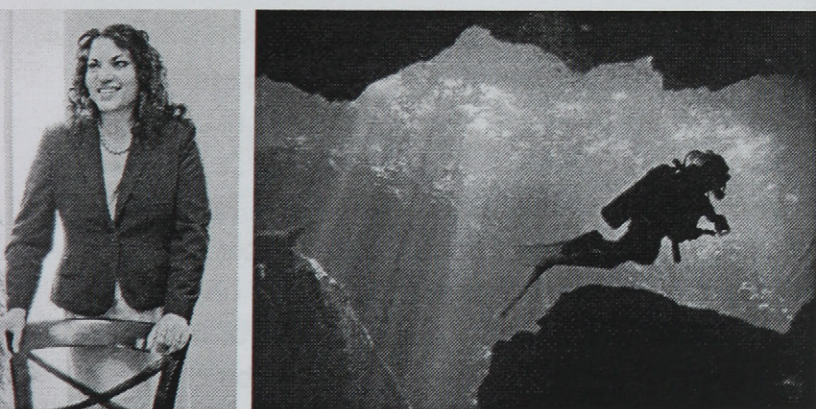
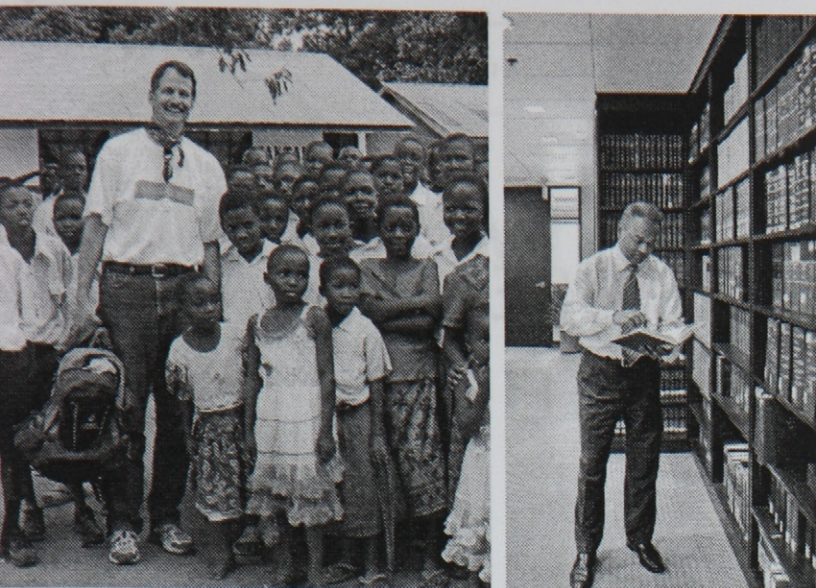
For those afraid of the time commitment that comes with joining a club, I invite you to participate in either Law School of Rock or Skit Nite. These are two shows put on by law students each year to raise funds for Chez Doris, Share the Warmth, Dans la rue and the Old Brewery Mission, and are in my own humble opinion two of the best events of the year. What makes LSOR and Skit Nite attractive as they are not necessarily year-long commitments – once the show is over, it's over. How can you get involved? For Law School of Rock, to be held in early November, we are looking for bands to play two or three songs. For Skit Nite, held in March, we are recruiting actors, scriptwriters, and anybody else with a special talent they would like to share. Send us an email to law.got.talent@gmail.com or come to our first information session, tentatively scheduled for Wednesday, September 19th.

Those with a bit more time to spare should consider joining a student club or journal. A lot of exciting things are going on this year: there is a new student-run journal on arbitration that is in the works, the Transsymphonics, our NCDH-based choir, are back in business after taking last semester off, and we got new foosball tables last Spring. Upper-year students: I hear there are spots left for shifts at the Legal Information Clinic at McGill on Tuesday mornings. New students: the Asia Pacific Law Association of McGill is still

looking for a first-year representative.

Last but not least, this year's LSA seems to be focused on community involvement, and though we as a student body could do a lot more to be seen and heard, there are a lot of cool initiatives that are worth looking into. The High School Outreach Program and Pro Bono Students Canada are respected members of the Montreal community. Getting involved in McGill groups, outside the Law Faculty bubble, can be a rewarding way to meet new people. There are a surprising amount of environment- and human rights-focused groups on Lower Campus, and groups ranging from Cupcake Clubs to the McGill Association of North American Born Asians (I'm not even making this up).

I know this year's group of 1Ls will add a lot to the life of our faculty. I had the pleasure of participating in what was a very well-attended Orientation Week, and was thoroughly impressed by the enthusiasm of organizers and participants alike. Hopefully this will be carried on throughout the year. For now, though, it's time for me to go read the Overheards...



LES GRANDS AVOCATS DU MONDE SONT AVANT TOUT DE GRANDS CITOYENS DU MONDE.

À notre cabinet, vous travaillerez avec des avocats ayant conclu des transactions de plusieurs milliards de dollars, d'autres ayant représenté des premiers ministres et d'autres encore ayant plaidé devant la Cour suprême des causes qui ont fait jurisprudence. Qu'ils courent des marathons, vivent de grandes aventures ou se dévouent pour des causes humanitaires, vous verrez que les membres de notre équipe comptent plusieurs êtres d'exception. Chaque année, dans le cadre de nos programmes d'emplois d'été et de stages, nous cherchons à identifier des étudiants qui, tout comme nous, conjuguent leur coup de cœur pour le droit à un profond désir de se surpasser.

Nous ne sommes pas seulement à la recherche d'avocats exceptionnels, mais surtout d'êtres d'exception

Pour consulter les fiches biographiques de nos avocats et voir si BLG répond à vos aspirations, visitez le site blg.com/etudiants.

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BOUTIN

WHY THE PRESENT LSA REFERENDUM PROCESS IS ILLEGITIMATE

As you may not know (I wasn't aware until very late last week) the LSA exec is proposing few—but major—changes to the constitution of our beloved LSA. These changes were available in the "Welcome Back" newsletter (pp. 10-11) that was distributed last week (the blue booklet). After a discussion with some exec members and the CRO during Coffeehouse, the CRO sent an email on Thursday September 13th clarifying there will be time for a proper, full campaign, as required.

WHY THE LSA PROCESS MAKES THIS REFERENDUM ILLEGITIMATE

1) The referendum was supposed to take place at the same time as the elections (starting Friday the 14th). That's right. With no notice from the CRO nor the LSA. No chance to create YES or NO campaigns (as we usually do). No opportunity for discussion. Do you really believe that announcing significant constitutional changes in a newsletter (at pp. 10 and 11) is a good way to advertise and promote a referendum?

2) Normalement, il faut une décision du LSA Council ou des signatures de 10% du corps étudiant de la faculté pour déclencher un référendum (LSA Constitution, art. 59). Pendant l'été, l'Exec du LSA remplace le Council. L'Exec en a donc profité pour proposer ces modifications sans le Council et sans un appui étudiant.

3) This was all in the first week of school. At the beginning of first year, I had no clue what and who the LSA was (except that they organized the orientation). Constitutional changes are important and need broad student participation. Maybe the LSA was trying to push some issues through now so they wouldn't have to bother with them later (and if they were successful in removing all AGA powers, who could do anything later on?).

4) The previous constitution was not available in the Newsletter nor on the LSA website.

These problems seem to show: 1) a clear problem with student democracy within the LSA itself (these people are the ones who are supposed to represent us and promote your interests); 2) the will of the LSA to push their ideas forward without discussion (so we won't be able to organize and criticize later). I know an email was sent during the summer on the «transparence» of the LSA (and I did reply) but that's clearly not enough.

There's a clear irony here : making major constitutional changes without following due process and the LSA procedures.

Why are these changes happening now, and so quickly? Last year, more than 100 people showed up at the AGA (probably a first in recent LSA history) because some people decided to draft motions that we voted on. Progressive motions. We supported the MUNACA employees on strike. We stood up against the Quebec tuition hike. The exec didn't want to be bound by the decisions of the student body they represent. I mean, that would be crazy, right? I know my values are not everyone's values. The greatest thing about a General Assembly is the debates it fosters. We exchange points of view, visions, and perspectives. This is impossible with a referendum question.

I believe we do need constitutional changes. The present unilingual constitution is full of unclear clauses and sections. But I believe we need a discussion on the matter. Especially when the changes aim to reduce input from the student body.

**SARAH
KETTANI**

MALPRACTICE CUP

When? September 29th 2012

Where? Rutherford Reservoir

What time? 11 AM

The annual tournament against the Faculty of Medicine is happening at the end of this month! Le samedi 29 septembre, nous affronterons la faculté de médecine pour une compétition féroce dans des sports variés tels que le soccer, dodgeball, ultimate frisbee, quidditch, capture the flag, trivia and tug of war. This year, the Law Faculty is making a comeback, and we are going home with the trophy! Si vous êtes sportifs, motivés ou vous voulez simplement relaxer ou même éviter vos lectures, nous vous attendons en grand nombre. The cost is \$10 and includes a t-shirt, a meal, and drinks at Peel Pub where we will head after the tournament for a 5 à 7. Registration forms are available on the LSA website or at the LSA office.

All levels are welcomed. It is going to be a lot of fun and I hope to see you all.

SUBMIT TO THE QUID!

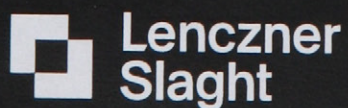
Envoyez vos articles, poèmes, bandes dessinées!

Deadline: every **Thursday at 5pm**. Send articles as an attached Word document, including a title, author and author's year of study to quid.law@mcgill.ca.



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**MOLLY
KRISHTALKA**

FOOD FOR THOUGHT

Voulez-vous quelque chose à grignoter à la bibliothèque? Cette recette vous promet des carrés (ou des muffins!) légers et goûteux avec un éclatement de café. You can serve them with jam, or topped with a sprinkling of powdered sugar, but I find that they taste best with just a dab of butter. Pour obtenir des carrés plus sucrés, substituez le vinaigre balsamique et le lait par la même quantité de Baileys.

In a 9-inch brownie pan, this recipe makes 9 squares. Should you choose to make muffins instead, this recipe makes 10.

Espresso Walnut Squares (inspired by Smitten Kitchen's olive oil muffins)

1 ½ cups flour
1 ¾ teaspoons baking powder
¼ teaspoon salt
¾ cup sugar
3 large eggs

3 teaspoons espresso powder
2 tablespoons balsamic vinegar
2 tablespoons 2% or whole milk
¾ cup olive oil
1 cup toasted and sliced walnuts

Preheat your oven to 350 degrees Fahrenheit. Grease your muffin or brownie pan.

Mix together the flour, baking powder, and salt in a medium bowl. Beat the eggs and sugar together in a large bowl until pale. Stir in the espresso powder, balsamic vinegar, and milk. Add the olive oil gradually, then stir in the flour mixture, making sure not to over-mix. Stir in the walnuts.

Pour the batter into the prepared pan or tin, and bake for roughly 50 minutes (20 minutes for muffins) or until a tester comes out with moist crumbs attached. Let cool in the pan for 8-10 minutes, then remove from the pan to cool on a rack. Enjoy!

**THOMAS
GAGNON-VAN
LEEUVEN**

RIP AL-TAÏB

ANOTHER CHEAP FOOD OPTION ON CAMPUS BITES THE DUST

When I started law school two years ago, the Architecture Café - by all accounts, an excellent student-run joint - had just shut down. The start of this year comes with another disappointment: Al-Taïb, a popular spot for dirt-cheap Middle Eastern food, has disappeared from the space it used to share with Gerts in the basement of the SSMU building.

Al-Taïb fed me for two years. I would rush down during my half-hour lunch break between Common Law Property and Family Law and devour my laham baagine on my way up. One employee knew my order so well that she once started heating my manakish after seeing me through

the window - on the day I decided to change it up and have pizza. Oh, and either option cost me \$2.75. Tax included.

No more. Al-Taïb is gone in favour of a student-run lunch counter. While I'm all for student-run initiatives, the most affordable item on the menu was a \$5 grilled cheese. Ouch. According to a student I spoke with, this change results from a joint decision between the SSMU and Al-Taïb - the main branch of which is still alive and well on the corner of Mackay and De Maisonneuve.

Despite the efforts that have been made to improve our Faculty's own Law Café, it

unfortunately remains an expensive proposition. In fact, eating anywhere on the McGill campus will put a dent in your wallet: unlike other Montreal universities that have both vibrant - and affordable - student-run cafés and cheap eats within walking distance, giant Aramark exclusively provides food to most of the McGill campus.

With Al-Taïb gone, do you have any suggestions for affordable lunch options near the Faculty? Send us your favourites at quid.law@mcgill.ca and we'll publish them next week!

MARY
ANGELA
ROWE

THE LAW STUDENT'S GUIDE TO BUSINESS LUNCH ETIQUETTE

The year has barely begun and a bunch of you are already anxious about appropriate business table manners. Although it's true that if you eat like a baboon people will judge you, adequate manners are really more practical than complicated, and not at all difficult to master. This article will provide a few suggestions to ensure that your sparkling personality, not your ham-fisted fork-holding, makes an impression.

GENERAL TIPS

- **Take SMALL bites of food!** They aren't there to feed you, but to talk to you. Take small enough forkfuls that you can sort of move the food into your cheek and talk at the same time without giving everyone a look at what you're masticating. For the love of God chew with your mouth closed. Utensils are arranged in the order of courses. Just start from the outside and work your way in. If you are worried, handy-dandy guides can be found online.
- **Mind your elbows!** Keep elbows close to your sides when you eat. This can lead to some awkward T-rex arms dining sometimes, but it's better than looking like you've got wings. (My mother used to make me eat with newspapers tucked under my arms.) Don't put your elbows on the table! You can rest your forearms on the table but don't get the elbows up there.
- **Make lots of eye contact.** That way they pay attention to you, not to your utensils. If you make an error, whatever, just forget it and move on.

BASIC STUFF

- **Unfold your napkin and put it in your lap when you sit down.** Some restaurants insist on doing this for you, which I find annoying but is considered a sign of A Fancy Establishment. Just let them.
- **Wait until your dining companion picks up a utensil to start eating.** Never begin eating until your companion's food has been served, unless he or she motions for you to begin first.
- I cannot believe I have to say this, but I've seen it happen: **if there are olives, do NOT put the pips in a little pile on the**

table! Put them on your bread plate (or in the provided dish) like a normal, non-gross human being!

- **Cut each mouthful of food one piece at a time.** Do not chop your entire steak into little tiny bits and then spear them individually like a bird.

- **Holding utensils is basically common sense; do not fret about it.**

- **Don't eat off your knife.** Ever. Food goes onto the fork before it is conveyed to the mouth.

ADVANCED COURSE

- **Avoid any salad with frisee in it.** It is so awkward to eat, just don't. Poppyseeds are also not advised.

Try not to switch your fork between left and right hands. It is visually distracting and some people think it is Breaking The Rules or whatever.

- **Don't salt or season your food before you taste it.** The exception is when a server comes around with fresh pepper or Parmesan before you've had a chance to taste your food.

- **Always break bread; never bite it.** Put the bread on the bread-plate (small plate to the left of the place setting) and use your fingers to break off each individual piece as you eat it. Do not shred the whole thing. Do NOT raise the whole thing to your mouth and start chomping on it! This is my pet peeve. Little is more graceless than gnawing on a roll while trying to look sophisticated and employable.

Ladies, there is a kind of art to bending and then sweeping yourself forward as your chair is pushed in behind you. It's not tough to master with a little practice. Gentlemen don't have to deal with this one.

If you are *really* anxious, Tiffany's Table Manners for Teenagers is a short and spot-on guide, although ignore their suggestions about asparagus. When in doubt, take your cues from your dining companion. Though please don't mimic them if they're eating with their elbows in the air. You *will* end up jabbing a server in the ribs, and it's all downhill from there.

**Don't miss our
Lucky's food truck
on October 3
during universal break.**

Have a great semester!

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**MICHÈLE
LAMARRE-
LEROUX**

FOR YOUR WELL-BEING

En ce début de session, je tiens à vous présenter le Comité pour le bien être des étudiants. J'en suis pour l'instant la seule représentante, mais il me fera plaisir de travailler en collaboration avec quiconque qui a le bien-être de la Faculté à cœur! Laissez-moi expliquer les deux rôles que joue ce Comité.

As its name tells, the Student Well-Being Committee is there to help promote and maintain a healthy life-style among the student community. Ranging from making the promotion of healthy eating habits to giving advices in terms of dealing with the stress of law school, it is a point of reference for YOUR well-being as a law student dealing with the wide range of issues that can affect you more or less importantly. If you feel like you forgot about how to use a stove and your fridge is full of pizza leftovers, you'll be able to consult my regular articles in

the Quid Novi for cheap and easy recipes! If you feel like you are crumbling under readings, haven't moved your butt from your library seat for 5 hours, and just need to express your distress, please feel free to write me an email!! I will try to be the ear you need and if I can't I will direct you to the right person.

Aussi, le Comité est un comité de l'AÉD et a donc facilement accès à l'ensemble des ressources de votre Association étudiante, tant matérielles que financières. Je peux donc agir à titre d'intermédiaire (qui fera aller ses contacts pour vous!) pour vous aider à réaliser un projet qui vous tient à cœur et qui prendrait forme au sein de la faculté. Vous aimeriez inviter une conférencière pouvant donner des conseils sur la gestion du stress? Je peux vous aider à organiser un tel événement. Vous trouvez que la Faculté manque de vie artistique et voudriez en

décorer les murs, mais ne savez pas comment vous y prendre? Moi non plus, mais on peut y arriver ensemble! Bref, toute idée vous passant par la tête pour laquelle vous auriez besoin de soutien sera entendue.

Otherwise, I really like meeting and chatting with people in the hallways so if you feel like taking a break, grab me by the arm and we can go play a foosball game (or three)!

And most importantly, remember that reading outside is so much nicer than the library so go out enjoy the sun while you still can!

Yours truly,

Michèle

Law II

**LUDOVIC
BOURDAGES**

Sa bouche en forme d'étoile
éclaire le ciel noir de mes nuits
en orbite dans mon lit simple
on s'embrasse on se touche
la gravité entre nos doigts
entremêlés et agrippés dans le vide
nos cœurs en apesanteur
le Big Bang
explosion de corps célestes

nous créons l'Univers à notre façon
notre univers.

DEREK
ZEISMAN

DATUM ERRATUM

WHY I CACKLED FOR THE CAQ
ON ELECTION DAY

*Sugar is the oil for political machines:
Without it all the gears would never mesh.
A man must have a weakness
For a certain kind of sweetness
Be it soothing to the spirit or the flesh.*
~ Mavor Moore, Canadian dramatist, 1967

We are beyond criticism except by puritans. We present ethical code after ethical code, and still we get criticized. It's incredible how demanding people are about us. The newspapers give the impression that Quebec is as bad as Italy.
~ Quebec Liberal Premier Robert Bourassa, 1975

Oh, what a tangled web Quebec politics do weave. After nine tumultuous years in office, Jean Charest was ever-so-gently overthrown by the wily electors of La Belle Province on September 4.

I was delighted Mr. Charest called that election, if only because it meant we were able to resume our law studies one day later than originally scheduled. (Thank heaven for small mercies!)

More importantly, it was time for Mr. Charest's Liberal government to go. Politicians, like milk, all have a best-before date, and the Liberals had long since passed theirs.

The smell of spoiled milk must have been very bad indeed at the National Assembly, for poll after pre-election poll showed 70 per cent of Quebecers wanted a change of government. The voting results reflected this sentiment exactly, for the Liberals pulled in 31.2 per cent share of the vote, down from 42 per cent in 2008.

The people were exhausted by, and exasperated with, Mr. Charest's government. In recent years, it seemed infected by the triple scourge of corruption, crime and cronyism. Cabinet ministers and MNAs were sometimes too cozy with reputed underworld crime figures, accepting substantial political "donations" and rubbing shoulders with them at parties, receptions and dinners. Several even served as members of riding associations and party organizers.

Just as serious, and far more expensive from a taxpayer point of view, were the allegations of contract rigging, price fixing, bribery, and other shenanigans that are said to be rife within Quebec's notorious construction industry, especially where government contracts are concerned.

It took Mr. Charest two years to even make a cursory effort to address these alarming concerns, by appointing the Charbonneau Commission to inquire into the allegations. This belated action was only taken after prolonged prodding from the opposition parties and general public. Only time will reveal the extent of Liberal involvement in illegal activities, but suspicions run high.

Mr. Charest wisely called the election before the release of the Charbonneau Commission's report, no later than October 2013. But it seems the voters saw through this clever maneuver, and chose to punish him and his party anyway.

But punish ever so gently. For though most voters wanted rid of the Liberals, they were none too enthralled by the al-

ternatives. The result was an election largely devoid of passion, or even enthusiasm, among most of the electorate. This is not an unusual state of affairs in other provinces. Here in Quebec, it is near-blasphe-my.

There was precious little choice of a positive sort. Pauline Marois and her Parti Québécois ran a narrow "little tent" campaign that emphasized sovereignty over economy, linguistic strife over dialogue, and ethnics over ethics. It was obviously a campaign aimed at locking down the PQ's eroding support among core separatist voters.

In the end, the PQ pulled in only 31.9 per cent of the vote of election night – a paltry 0.7 per cent more than the much-loathed Liberals. Most alarmingly of all for the PQ brass, that "winning" percentage was significantly lower than the PQ's support in the elections of 2003 and 2008 – elections the PQ lost. In that sense, they succeeded in snatching defeat from the jaws of victory.

This is not surprising, given that Quebec sovereigntists now face such a buffet of political choices. Most prominently, the hard-left Québec Solidaire (which won six per cent of the vote and two seats) cut deeply into the nationalist base of support the PQ once took for granted. A second alternative to the PQ, Option Nationale, did not win any seats, but pulled enough votes away from the PQ in some key ridings to torpedo any hope of a Marois majority.

Interestingly, if every QS and ON voter had instead parked their votes with Ms.

Marois, the PQ would have won a whopping 22 more seats on election night than the anemic 54 it picked up. That would have meant a big PQ majority.

Instead, Ms. Marois faces a remarkably resilient 50-seat Liberal caucus (sans Mr. Charest, who was summarily dismissed by the voters of Sherbrooke) and a sizeable 19-member Coalition Avenir Québec (CAQ) caucus that, while underperforming on election day, will hold the balance of power in the next Assembly.

As much as I personally like Mr. Charest, and as much as I am an archetypal Anglo federalist living on the Island of Montreal, I could not bring myself to support his party on September 4.

The Liberals have been in power for nearly a decade, and have done little in that time to remedy Quebec's yawning budget deficits, its massive public debt (by far the highest per capita in Canada, at 55 per cent of GDP) or its seemingly perpetual status as a have-not province, despite its boundless natural, intellectual and commercial wealth and know-how.

Then there is the matter of the Liberals' ethical lapses and periodic dabbling in the black art of political corruption. Corruption, of course, is a cancer not confined to the Liberal Party by any means, and there is no evidence that Mr. Charest was personally involved in such foolishness.

But as governments age, they become sloppy, complacent and sometimes morally dissolute. A good spell in political purgatory will do the Liberals some good.

In the end, I opted to park my vote with the CAQ. I did not do this without reservation, for this new party has taken a somewhat non-committal stance where federalism is concerned. Some of its policies are also vaguely defined and insufficiently costed (casted? Not sure what the author means by "costed" ?)

But the CAQ offered clean and sensible government, and a fresh, pragmatic view of Quebec politics unsullied by the heavy baggage lugged around by the other two main parties. One of the party's (successful) star candidates was Jacques Duchesneau, a

former Montreal police chief who has campaigned tirelessly against political and police corruption for decades.

But in the end, I think the CAQ's biggest and best attribute was its leader, François Legault. Throughout the campaign, the former PQ minister had a smiling "happy warrior" persona about him, which I found exuded hope, confidence and optimism. Legault's forward-looking vision and positive rhetoric stood in marked contrast to the somber, humourless campaign waged by Mr. Charest, and the divisive and inflammatory tack taken by Ms. Marois.

Mr. Legault seems to understand that Quebec is a big tent, and that we are all in on this great experiment together – Francophones, Anglophones and Allophones alike. And that, *mes amis et amies*, is a constructive message that any politician should be able to take to the bank. Come next election, Mr. Legault may well succeed in doing exactly that.

THE TRANSFORMATIVE POTENTIAL OF STUDENT-LED SEMINARS

Last year, there were several student-led seminars, including Critical Race Theory, Aboriginal Truth and Reconciliation and Sexual Assault Law. What do these three courses have in common? None of them had a hired professor teaching them and none of them were permanent courses¹. As well, the subject matter of each concerned systemically and historically marginalized groups.

Pour ceux qui ne savent pas ce qu'est un séminaire dirigé par des étudiants (ou séminaire étudiant), en voici les grandes lignes:

- o Des étudiant-e-s trouvent qu'il y a des manquements dans la liste de cours offerts lors de leur première ou deuxième année;

- o Ces étudiant-e-s parlent entre eux et découvrent que d'autres aussi sont déçus; un des thèmes qui les a poussés à entreprendre des études en droit n'est pas enseigné ou discuté en classe;
- o Ces étudiant-e-s forment un groupe (habituellement composé de trois ou quatre personnes) pour monter un cours qui pourrait remplir ce "trou" dans la liste de cours;

- o Ils et elles prennent contact avec un ou une professeure pour voir s'il ou elle serait intéressé-e à superviser le cours;

- o Ayant trouvé un-e professeur-e volontaire, les étudiants construisent une proposition de cours. Cela doit inclure un plan de cours, une liste de lectures et une méthode d'évaluation. Il doit

aussi démontrer qu'il y a une demande pour le cours en mentionnant ses supports (clubs, autres départements, etc.), sa pertinence sociale et son inclusion dans les listes de cours d'autres facultés de droit;

- o Les étudiant-e-s discutent de la proposition avec le ou la professeur-e responsable de la supervision, puis soumettent la version finale du projet au Vice-doyen à l'enseignement (l'année précédant celle de la tenue du cours);

- o Si le projet est approuvé, les discussions continuent. Le cours aura probablement lieu le vendredi ou mercredi matin à 8h30 (à la session d'automne ou d'hiver). Il pourrait entrer en conflit avec d'autres séminaires étudiants;

- o Mais, ce n'est toujours pas fini. Les étudiant-e-s doivent maintenant trouver une source de financement, afin de pouvoir se payer des professeurs invités, des sorties, du matériel, etc. Deux des sources de financement les plus communes sont le Fonds discrétionnaire du Doyen, et l'*Experiential Learning Fund*.

Note that the above list is not official. Also note that student-organizers volunteer their time and effort to organize the class, and then pay full tuition to take it. Also note that taking more than one student-led seminar is not permitted at this time. Finally, please note that the Faculty appears to be in the process of writing up official rules for initiating student-led seminars. We

haven't been let in on this conversation, so we can't elaborate.

So, why organize a student-led seminar? Why do all this work?

Gaps in the curriculum: By the beginning of second semester, many first year law students realize that areas of law relating to their interests – particularly if their interests are connected to marginalized groups – occupy a small (if any) space in the Faculty. This can become frustrating and isolating to those who came to law school with the desire to pursue social justice. Unable to find space to speak about these issues, students have the option of becoming passive recipients or change-makers. They can either resign themselves to the education that's offered to them or attempt to change it through various initiatives, such as student-led seminars or social-justice oriented clubs.

Space to speak: To some, classroom space at the Faculty may appear neutral. It may seem that all students are free to participate in classroom discussions as they wish. For others, space is anything but neutral. It is no surprise that the ABA Journal cited a study which found that female law students were less likely than male law students to ask questions in class, or discuss assignments with professors. Some of you may have noticed this. Some of you may have realized that the only way you can find the space to speak is if you make one. Student-led seminars have traditionally offered such a space, one that is accommodating and representa-

tive to a diversity of students who attend this institution.

La culture de la Faculté: Les cours obligatoires ainsi que les autres cours offerts de manière plus régulière par la Faculté envoient un message. Ils disent « Ces sujets et ces textes sont importants. » Qu'est-ce que la liste de cours actuelle nous dit? Que voudrait-on qu'elle nous dise?

Hopes

By creating a student-led seminar, the Faculty is not only given an opportunity

to learn about students' interests, but to realize what's missing in the current curriculum. We note that Aboriginal Truth and Reconciliation is now being taught by a professor in the winter semester. We applaud the Faculty for recognizing the importance of this course. Vu le succès des séminaires étudiants offerts l'année dernière, nous encourageons la Faculté à considérer la possibilité que *Critical Race Theory*, *Sexual Assault Law* et d'autres séminaires populaires soient offerts sous la forme de cours complémentaires.

Finally, we hope that in making rules

and requirements regarding student-led seminars, the Faculty will:

- o engage with the student body in a visible and open way;
- o actively contact previous course organizers and participants, listen to their experiences, and integrate that feedback into the new guidelines;
- o honour the uniqueness of each course; and
- o embrace alternative pedagogies.

Law III

HÉLIA
TAHERI

TOI

Tu m'as peigné les cheveux. Tu t'es laissé aller, avoue-le, tu t'es laissé aller. Au toucher de tes doigts, j'ai tremblé.

Tu as dessiné le sourire sur le coin de mes lèvres. Tu t'es laissé aller, avoue-le, tu t'es laissé aller encore une fois. Le sourire a conquis tout mon visage qui a cédé sans la moindre résistance. Tu m'as rendue heureuse.

Tu as insisté pour que je me maquille. Qui l'aurait cru? Couleur, couleur, couleur. Tu as fait ressortir mes yeux, tu pourrais t'y noyer désormais.

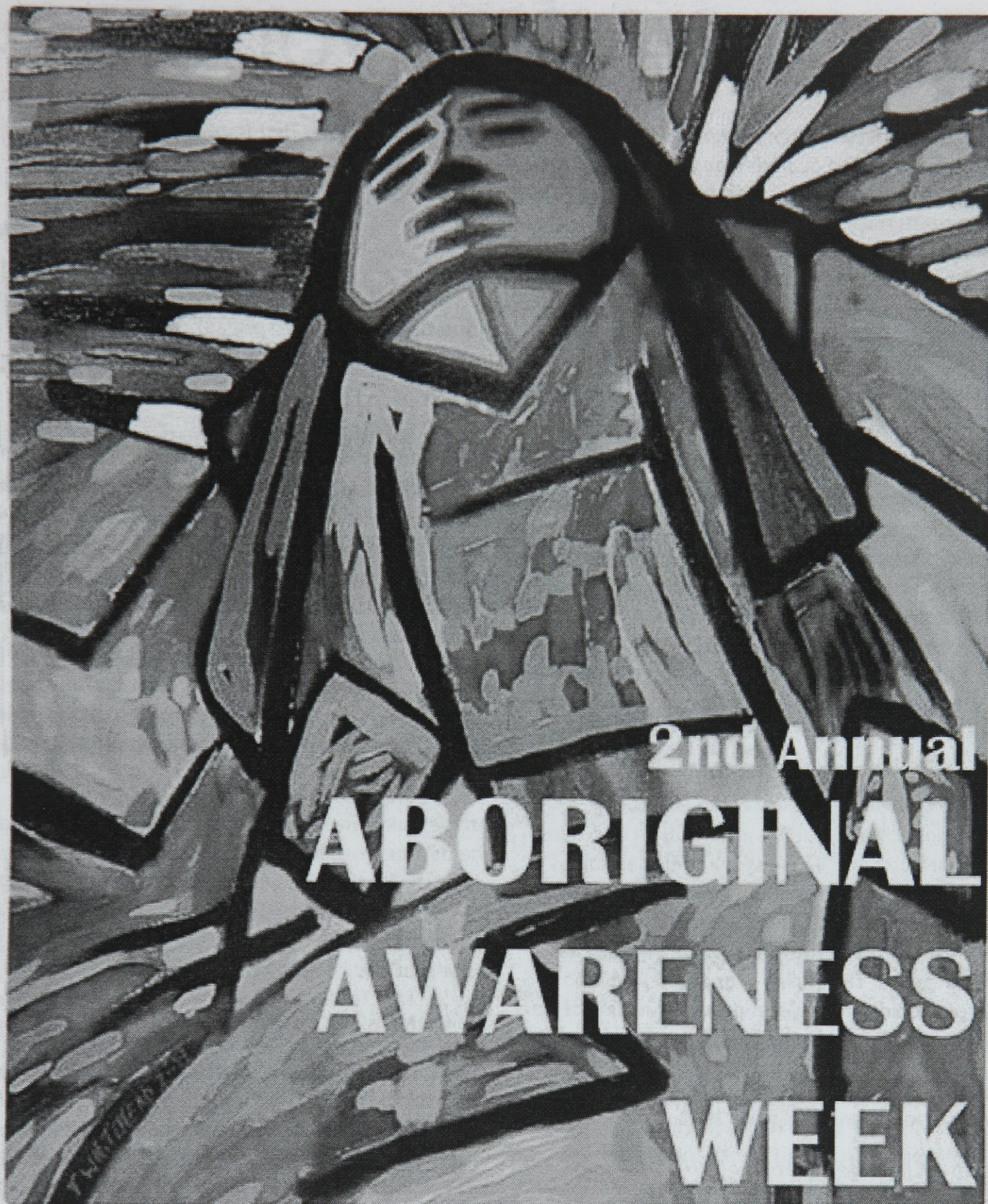
Ta main a baisé mes paupières. Ta voix intime a chanté pour moi, c'était doux; tes berceuses glissant sur ma poitrine me chatouillaient.

Tu me parlais comme si j'existais. J'ai essayé de murmurer pour te répondre. La cage n'a pas accepté, les sons emprison-

nés, le fossé trop profond à escalader. Mon silence ne t'a pas atteint. Intouchable.

Tu me trouves belle, tu me l'as dit. Arrête, tu me fais rougir. Les joues rouges à croquer, tu les as croquées. Mes joues sont rougerougerouge, mes pommettes croquées. Tu l'as fait avec combien d'autres, petit coquin? C'était le temps de partir; touche finale, tu as mis une rose entre mes cheveux.

Tu as oublié de fermer la fenêtre. On t'avait toujours appris à verrouiller les portes, à fermer les fenêtres; les étrangers, à éviter les étrangers. Tu as oublié de fermer la fenêtre. Le vent a pénétré dans ta chambre, notre chambre, il m'a poussée; je suis tombée, déchiquetée, j'ai voulu crier, il était trop tard, noyée dans une mer de couleurs, j'ai suffoqué; j'ai voulu pleurer, les larmes ont reculé. Et là, juste avant de sombrer dans la coagulation de l'essence, j'ai sangloté.



Come take part in McGill University's 2nd Annual Aboriginal Awareness Week!

Discover the rich traditions and histories of Aboriginal peoples across Canada, including the Métis, the Inuit and First Nations.

- Celebrate Aboriginal cultures and histories
- Learn about issues of identity, nation building and rights
- Participate in a craft-making workshop, a film screening and much more

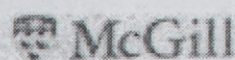
September 24-28 2012
aboriginalnetwork.mcgill.ca



aboriginalsustainabilityproject



McGillASP



Painting by Jerry Whitehead, visit www.jerrywhitehead.com

QUID EDITORIAL POLICY

*It is Quid policy to publish our Policies and Operating Guidelines in the first issue of each semester.
The policy is also available on our website: quid.mcgill.ca.*

Wherever possible, the Quid publishes everything submitted. However, to encourage a climate where each student will feel comfortable sharing his/her opinions, in rare circumstances, articles may be edited, and in extreme cases refused, at the discretion of the Editors-in-Chief.

While all submissions are presumptively publishable, potentially criminal speech (i.e. hate speech) and-or libellous speech are not presumptively publishable. In such cases the author must make a strong case that the information is accurate, that journalistic standards and ethics were followed; discretion to publish such articles lies solely with the Editors-in-Chief.

QUID NOVI POLICIES AND OPERATING GUIDELINES

The Quid belongs to students enrolled in the Faculty of Law at McGill University. It is essential that it maintains transparent policies and guidelines that take into consideration values such as the freedom of expression as well as interests such as those of students and faculty. The policies and operating guidelines are set forth below. Questions and comments may be directed to: quid.law@mcgill.ca. This policy is updated at the sole discretion of the Editors-in-Chief provided notice of update has been published in the Quid.

This version of the policy is enacted as of 2010. Its French translation is enacted as of 2011.

This document has five sections:

- 1) General Guidelines
- 2) Submission and Revocation Policy
- 3) Anonymous Submission Policy
- 4) Editing Guidelines
- 5) Content Review Policy
- 6) Notice and Amendment Process

1) GENERAL GUIDELINES

Every item appearing in the Quid Novi is an opinion piece that reflects only the views of the person (s) submitting the item. Neither the Quid Novi, the LSA, nor the Faculty of Law endorses any of the material or views contained therein. Given the nature of the publication and its limited resources, the Quid will not un-

dertake to evaluate the factual accuracy of submissions. Submissions are presumptively publishable unless they do not conform to the guidelines contained herein.

2) SUBMISSION AND REVOCATION POLICY

The Quid is a submission-driven publication. The deadline for submission shall appear in every issue. Articles submitted must include the author's name and year of study. If the author is writing in a particular capacity (i.e. 'LSA President'; 'Head of Student Club') this is to be indicated by the author.

No material submitted after the deadline shall be published without the express consent of the Editors-in-Chief. Late submissions will be slated for publication in the subsequent edition.

Articles submitted for publication may be revoked by the author. The Quid will honour all such requests provided they are made at least two days prior to publication. The Quid will do its best to honour a late revocation request, but will not stop the printing of an issue that has already gone to press.

3) ANONYMOUS SUBMISSION POLICY

The Quid will publish anonymous articles provided they conform to the Quid policy and operating guidelines. Anonymous articles present a challenge for content review for they do not allow the Editors-in-Chief to consult with the author. As such, if an anonymous article is rejected for publication, notification of rejection must be published in the Quid.

4) EDITING GUIDELINES

Every item submitted to the Quid shall be reviewed. The Quid reserves the right to make grammatical edits to improve the readability or suitability for publication of an article. Editors may also correct spelling mistakes. If a submission requires significant editing - in the view of the first person reviewing the article - this shall be indicated to the Editors-in-Chief. The Editors may refuse to publish the article for lack of suitability, or may conduct significant edits and publish the submission. Minor edits need not be communicated to the author

prior to publication.

5) CONTENT REVIEW POLICY

All submissions made to the Quid shall be reviewed for content. There is a four-step review process.

1) Review by Editor

The Editor assigned to review the article (or an Editor-in-Chief) individually reviews the submission for content they believe to be questionable. Questionable content is content that, in the appreciation of that respective Editor, is either potentially offensive, or potentially not suitable for publication. The following factors will be considered when assessing potential offensiveness: the overall tone of the submission, the specific word(s) used, the context in which they are used, coupled with an individual appreciation of the potential reaction to said material by the student body, professors, alumni, and the Montreal legal community. If, on balance, any individual Editor or an Editor-in-Chief believes there is questionable content, this is communicated to the Editors-in-Chief.

Items that are potentially not suitable for publication include, but are not limited to: submissions that are too long or too short; submissions that have the potential to create a hostile environment for faculty or students; and submissions that are defamatory in nature.

2) Discussion

At the second stage of review, the Editors-in-Chief and Editor who did the initial review discuss their specific findings with one another in relation to the submission. If there is a finding of questionable content that is agreed to by a majority (i.e. at least two-out-of-three between the reviewing editor and the Editors-in-Chief), the article goes for consultation. If there is no agreed finding of questionable content, the article is published as is, or with edits at the discretion of the Editors-in-Chief.

3) Consultation

At the Consultation stage, the Editors-in-Chief must advise the author that there is a content concern. The Editors-in-Chief may consult others about the submission, provided there is no information given identifying the author(s). The Editors-in-Chief may consult with any individuals mentioned in the article, fellow

students, faculty members, and/or alumni, at the discretion of the Editors-in-Chief. Consultation is not a question of how-many-for vs. how-many-against; rather, given the nature and role of the Quid, consultation is premised on whether the specific content is suitable for publication. The author may be consulted numerous times if the Editors-in-Chief feel this is necessary.

4) Decision

The Editors-in-Chief will discuss the results of their consultations and will render a decision to: [a] accept the submission as is; [b] accept the submission with minor edit(s) to be completed by the Editors-in-Chief; [c] return the submission to the author for modification with suggestions provided at the discretion of the Editors-in-Chief, or, alternatively, [d] reject publication without modification suggestions. The decision of the Editors-in-Chief is final and binding. The Editors-in-Chief, at their discretion, may publish a notice of rejection in the Quid with their reasons, indicating, at their discretion, the name(s) of the author(s). Alternatively, the author(s) may request that such a notice appear, in which case the notice will bear the format: AUTHOR -- YEAR -- TITLE OF SUBMISSION was submitted for publication but will not be printed in accordance with the Quid Policy and Operational Guidelines.

6) NOTICE AND AMENDMENT PROCESS

The Editors-in-Chief shall publish these guidelines in the Quid in the first issue of every semester. Changes may only be proposed by Quid staff. If there is a proposed change, it will be indicated in the next issue of the Quid with the opportunity for students to make submissions for a period of at least one week. Changes must be approved by a majority of active Quid staff. The Editors-in-Chief must publish notice of any change or change attempt in the Quid.

VERSION FRANÇAISE

Lorsque c'est possible, le Quid publie toutes les contributions qu'il reçoit. Cependant, dans le but de favoriser un climat où chaque étudiant sera confortable d'exprimer ses opinions, les rédacteurs-en-chef se réservent le droit de modifier des articles ou même,

dans des circonstances rares, de les refuser. Ce pouvoir sera exercé à la discrétion des rédacteurs-en-chef.

Nous présumons que toutes les contributions sont dignes de publication. Néanmoins, des propos potentiellement criminels (i.e. le discours de haine) et des propos diffamatoires ne bénéficient pas de cette présomption. Dans de tels cas, l'auteur doit démontrer de façon probante que les informations contenues dans sa contribution sont véridiques et que les principes de la déontologie journalistique ont été suivis. La décision de publier ces articles relève uniquement des rédacteurs-en-chef.

POLITIQUES ET PRINCIPES D'OPÉRATION DU QUID NOVI

Le Quid appartient aux étudiants de la Faculté de droit de l'Université McGill. Il est donc essentiel qu'il suive des politiques et principes transparents, qui prennent en considération la valeur de la liberté d'expression ainsi que les intérêts des étudiants et des professeurs. Les politiques et les principes d'opération sont exposés ci-bas. Les questions et commentaires s'y rapportant peuvent être adressés à : quid.law@mcgill.ca. Cette politique est mise à jour à la discrétion des rédacteurs-en-chef, à la seule condition qu'un préavis de la mise à jour soit publiée dans le Quid.

Cette version de la politique s'applique depuis 2010. Sa traduction française date de 2011.

Ce document contient cinq sections :

- 1) Principes généraux
- 2) Politique de contribution et de révocation
- 3) Politique de contribution anonyme
- 4) Politique de correction
- 5) Politique de révision du contenu
- 6) Procédures de préavis et d'amendement

1) PRINCIPES GÉNÉRAUX

Chaque item apparaissant dans le Quid Novi est un article d'opinion qui reflète uniquement le point de vue de la personne ou des personnes qui ont écrit l'item. Ni le Quid Novi, ni l'AÉD, ni la Faculté de droit n'endosse les opinions contenues dans les contributions publiées. Étant donné la nature de cette publication et ses ressources limitées, le Quid ne s'engagera pas dans la vérification de la véracité factuelle des contributions.

Les contributions sont présumées dignes de publication, à moins de ne pas se conformer aux principes énumérés ici.

2) POLITIQUE DE CONTRIBUTION ET DE RÉVOCATION

Le Quid est une publication qui survit grâce aux contributions. La date limite pour les contributions apparaîtra dans chaque numéro. Les articles soumis doivent contenir le nom de l'auteur ainsi que son année d'étude. Si l'auteur écrit dans un rôle particulier (i.e. "Président de l'AÉD"; "Président d'un club étudiant"), ceci doit également être indiqué.

Aucun item soumis après la date limite ne sera publié sans le consentement explicite des rédacteurs-en-chef. Les contributions tardives seront conservées et publiées dans le numéro subséquent.

Les articles soumis pour publication peuvent être révoqués par l'auteur, du moment que cette requête soit faite au moins deux jours avant la publication du numéro en question. Le Quid fera de son mieux pour faire suite à une requête tardive, mais il n'arrêtera pas la publication d'un numéro qui est déjà en impression.

3) POLITIQUE DE CONTRIBUTION ANONYME

Le Quid publiera des articles anonymes, à la condition que ceux-ci se conforment à ses politiques et principes d'opération. Les articles anonymes présentent un défi particulier pour la révision du contenu, car ils ne permettent pas aux rédacteurs-en-chef de consulter avec l'auteur. Ainsi, si un article anonyme est refusé, un avis de refus doit être publié dans le Quid.

4) POLITIQUE DE CORRECTION

Chaque item soumis au Quid sera révisé. Le Quid se réserve le droit de faire des modifications grammaticales afin d'améliorer la présentation et la lisibilité d'un article. Les rédacteurs peuvent également corriger les fautes d'orthographe. Si une contribution nécessite des modifications importantes, dans l'avis de la personne qui le révise, ceci sera indiqué aux rédacteurs-en-chef. Ceux-ci peuvent refuser de publier l'article ou bien effectuer des modifications importantes pour ensuite le publier. Les modifications mineures ne sont pas nécessairement communiquées à l'auteur avant la publication.

5) POLITIQUE DE RÉVISION DU CONTENU

Toutes les contributions au Quid seront révisées au niveau du contenu. Il existe un processus de révision comportant quatre étapes.

1) Révision par le rédacteur

Le rédacteur ou rédacteur-en-chef chargé de la révision d'un article accomplit cette tâche en vérifiant s'il contient du contenu contestable. Le contenu contestable dénote du contenu que le rédacteur en question juge comme potentiellement offensant ou autrement inadéquat pour la publication. Les facteurs suivants seront considérés lors de l'évaluation du potentiel offensant: le ton général de la contribution, les mots précis utilisés dans leur contexte précis, ainsi qu'une appréciation de la réaction potentielle du corps étudiant, des professeurs, des anciens étudiants et de la communauté juridique montréalaise. Si le rédacteur individuel estime que le contenu est contestable, il communique ceci aux rédacteurs-en-chef.

Les items qui sont potentiellement inadéquats pour la publication incluent (sans s'y limiter): les contributions qui sont trop longues ou trop courtes; les contributions qui possèdent le potentiel de créer un environnement hostile pour les professeurs ou les étudiants; et les contributions à nature diffamatoire.

2) Discussion

À la deuxième étape de la révision, les rédacteurs-en-chef et le rédacteur qui a accompli la révision initiale discutent de leurs conclusions spécifiques vis-à-vis l'article. S'il existe un consensus de contenu contestable parmi une majorité (moins deux sur trois parmi le rédacteur et les rédacteurs-en-chef), l'article procède à l'étape de la consultation. S'il n'existe pas un tel consensus, l'article est publié comme tel ou avec des modifications portées à la discrétion des rédacteurs-en-chef.

3) Consultation

Au stade de la consultation, les rédacteurs-en-chef doivent aviser l'auteur qu'il existe des préoccupations au niveau du contenu. Les rédacteurs-en-chef peuvent consulter d'autres individus au sujet de la contribution, à la condition de ne fournir aucune

information permettant d'identifier l'auteur. Les rédacteurs peuvent consulter avec des individus mentionnés dans l'article, d'autres étudiants, des professeurs ou des anciens étudiants, à leur propre discrétion. La consultation n'est pas un concours de "combien-sont-pour vs. combien-sont-contre".

Compte tenu de la nature et du rôle du Quid, la consultation doit déterminer si le contenu spécifique est digne de publication. L'auteur peut être consulté à de nombreuses reprises si les rédacteurs-en-chef jugent que ceci est nécessaire.

4) Décision

Les rédacteurs-en-chef discuteront des résultats de leurs consultations et rendront une décision de: a) accepter la contribution comme telle; b) accepter la contribution avec des modifications mineures portées par eux-mêmes; c) retourner la contribution à l'auteur pour modification avec des suggestions portées à la discrétion des rédacteurs-en-chef; d) rejeter la contribution sans offrir des suggestions. La décision des rédacteurs-en-chef est finale et incontestable.

Les rédacteurs-en-chef, à leur discrétion, peuvent publier un avis de refus dans le Quid avec les raisons du refus ainsi que le nom de l'auteur. L'auteur peut également demander qu'un tel avis apparaisse; dans un tel cas, l'avis portera le format suivant: « AUTEUR --- ANNÉE --- TITRE a été soumis pour publication mais ne sera pas imprimé, en accord avec les politiques et principes d'opération du Quid ».

6) POLITIQUE DE PRÉAVIS ET D'AMENDEMENT

Les rédacteurs-en-chef publieront ces principes dans le premier numéro du Quid à chaque semestre. Des amendements peuvent être proposés uniquement par le personnel du Quid. Si un amendement est proposé, il sera indiqué dans le numéro subséquent du Quid afin d'offrir une opportunité d'au moins une semaine aux étudiants de rédiger des contributions. Les amendements doivent être approuvés par une majorité du personnel actif du Quid. Les rédacteurs-en-chef doivent publier un avis de tout changement ou de toute tentative de changement dans le Quid.

OVERHEARD AT THE FAC

1L: Yeah, how do you get these summaries anyways?

2L: Well, you can find a lot of them on pubdocs, on the LSA's website. But to get the best ones, you need to befriend the right people.

1L: Oh, ok! So you guys are not first years?

2L: No, we are second years. Right now would be a good time to start befriendng us!

3L: Apparently there is a difference between "piracy" and "piratable acts" in s. 469...

Prof. Klein: I smell Skit Nite!

Prof. Adamski: When I was here, we used to do evaluations the old-fashioned way: 100% finals. I've been told you are a more sensitive group.

Prof. Adamski: America, the land of the clumsy and the litigious.

Prof. Adamski: The microphone isn't working so I will have to rely on my operatic training to project my voice audibly. Hopefully I was an opera singer in a previous life. Fortunately for you, I'm a law professor and not an opera singer in this life.

Me Lamed: I am in favour of paternalism. Because I think I'm always right.

Speaker at APLAM Event: Any company can have a nice website, just like anybody can have a nice Facebook photo. And then you meet them in person and you go "Oh my god".

Prof. Klein: We'll have a course on Rent-a-Cop.

3L: I want to rent a cop... on my birthday.

Prof. Adamski: Curran is an Irish name. I guess they shouldn't have trusted him any more than they'd trust a leprechaun. Leprechauns are quite malevolent. Unless they are the Lucky Charms in the cereal.

SUBMIT OVERHEARDS!

quid.overheard@gmail.com

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